

U.S. Courts  
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AUG 18 2004

Cameron S. Burke  
Clerk, Idaho

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

KIMBERLY SMITH, individually and on	)	
behalf of those similarly situated,	)	
	)	CASE NO. CV 01-0244-S-BLW
Plaintiff,	)	
	)	
v.	)	
	)	ORDER
MICRON ELECTRONICS, INC., a	)	
Minnesota corporation,	)	
Defendant.	)	
_____	)	

Plaintiffs bring this suit as a collective action to collect unpaid overtime under the Fair Labor Act ("FLSA") on behalf of computer sales representatives employed by subsidiaries of Micron. Currently before the Court for its consideration is Plaintiffs' Motion for Protective Order (Docket No. 231), filed on July 23, 2004. On August 17, 2004, the Court conducted a hearing on the above motion with counsel for all parties present. This Order memorializes the Court's ruling.

The Court will allow defendants to take the additional seventeen depositions, but will grant the protective order to the extent that the deposition of the individual in Japan will be taken by telephone and the depositions of the individuals in Minnesota, Maryland, and San Diego, will be taken through a video conference. With respect to the deponents who reside in the Pacific

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Northwest, counsel are permitted to conduct live depositions. The court will also allow the deposition of Kim Smith based on the representation of counsel that the deposition will only cover new issues and will be limited to two hours.

**ORDER**

In accordance with the foregoing, the Court being otherwise fully advised in the premises, **IT IS HEREBY ORDERED** that Plaintiffs' Motion for a Protective Order (Docket No. 231) is GRANTED in part and DENIED in part.

**IT IS SO ORDERED.**

DATED: August 17, 2004.

  
\_\_\_\_\_  
MIKEL H. WILLIAMS  
UNITED STATES MAGISTRATE JUDGE

United States District Court  
for the  
District of Idaho  
August 18, 2004

\* \* CLERK'S CERTIFICATE OF MAILING \* \*

Re: 1:01-cv-00244

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

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\_\_\_\_ Chief Judge B. Lynn Winmill  
\_\_\_\_ Judge Edward J. Lodge  
\_\_\_\_ Chief Magistrate Judge Larry M. Boyle  
\_\_\_\_ ☒ Magistrate Judge Mikel H. Williams

Visiting Judges:

\_\_\_\_ Judge David O. Carter  
\_\_\_\_ Judge John C. Coughenour  
\_\_\_\_ Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 8-18-04

BY: *DS*  
(Deputy Clerk)